

**MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

UNITED STATES OF AMERICA v. *Gabriel Clark-Aigner*

THE HONORABLE JOHN W. SEDWICK 3:02-cr-00007-JWS

PROCEEDINGS: **ORDER FROM CHAMBERS** Date: October 3, 2006

At docket 337 Gabriel Clark-Aigner moved pursuant to 28 U.S.C. § 2255 to vacate, set aside or correct his sentence. At docket 379, Magistrate Judge Roberts recommends that Clark-Aigner's motion be dismissed as procedurally barred, because it was not timely filed. No objections to the recommendation have been filed.

In a matter such as this, the district judge reviews all recommended findings of fact to which an objection is made and all recommended conclusions of law *de novo*. This court reviews all recommended findings of fact as to which no objection has been taken for clear error. Having applied those standards here, this court finds that the recommended findings of fact and conclusions of law are in all respects correct. This court adopts the recommendation from the magistrate judge. The petition is **DISMISSED** as procedurally barred. The Clerk will please close this case.
